

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA**

**DORAN SCHMIDT, Individually; and
S.S., a minor, by and through Doran
Schmidt, her natural mother and next
friend;**

Plaintiffs,

vs.

BELLEVUE MEDICAL CENTER, L.L.C.,

Defendant.

8:13CV143

ORDER

This matter is before the Court on Plaintiffs' Motion to Release Judgment Funds, ECF No. 375. On November 2, 2017, the Court ordered that the Judgment Funds be placed into an interest-bearing account until further appropriate motion. ECF No. 351. On May 21, 2018, the Court found that Intervenor Nebraska Department of Health and Human Services (DHHS) is statutorily entitled to a lien of \$145,485.29 against the Amended Judgment. ECF No. 372.

The parties have indicated that DHHS has agreed to accept \$97,475.13 as full and final resolution of its statutory subrogation interest. The reduction agreed to between Plaintiffs and DHHS is for attorneys' fees. Plaintiffs and DHHS have also consented to the release of the entire amount of the Judgment Funds to Cullan & Cullan, L.L.C., attorneys for the Plaintiffs. Plaintiffs will then pay the agreed upon subrogation interest amount directly to DHHS. Having reviewed the record in this case, the Court finds the Plaintiffs' Motion should be granted.

Accordingly,

IT IS ORDERED:

1. Plaintiffs' Motion to Release Judgment Funds, ECF No. 375, is granted;
2. The Judgment Funds, deposited into an interest-bearing account pursuant to the Court's Order dated November 2, 2017, ECF No. 351, shall be released to the Plaintiffs.
3. The Clerk of Court is directed to send the Judgment Funds to Plaintiffs' attorneys of record:

Joseph P. Cullan
Patrick J. Cullan
CULLAN, CULLAN LAW FIRM - OMAHA
1113 Harney Street
Omaha, NE 68102

Dated this 23rd day of July, 2018.

BY THE COURT:

s/Laurie Smith Camp
Chief United States District Judge